

**BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS
MINUTES – August 17, 2004**

COVER PAGE

BOARD NAME: BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS

DATE: AUGUST 17, 2004 **ROOM:** CENTRAL CONFERENCE ROOM

LOCATION: DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

TIME SCHEDULED: 8:30 A.M.	TIME CALLED TO ORDER: 8:45 A.M. ADJOURN: 2:45 P.M.
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CHAIRMAN: MICHAEL SACKETT

SECRETARY: DEIRDRA PERRY

BOARD CLERK: SUSAN GREENLAW

MEMBERS PRESENT: MICHAEL SACKETT, ELWOOD ELLIS, DAVID TITCOMB,
DEIRDRA PERRY, JOHN ROBERTS

MEMBERS ABSENT: EDGAR CATLIN III

OTHERS PRESENT: CAROL LEIGHTON, ADMINISTRATOR; DENNIS SMITH,
ASSISTANT ATTORNEY GENERAL; SUSAN GREENLAW, BOARD
CLERK

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CALL TO ORDER

The meeting was called to order at 8:45 a.m.

AGENDA MODIFICATIONS

OLD BUSINESS

Action on Minutes of June 22, 2004 Meeting

A motion was made by John Roberts to approve the minutes of the June 22, 2004 meeting as written; seconded by Deirdra Perry. Unanimous.

NEW BUSINESS

Administrator's Report

Legislation: The Office will be proposing a fee cap increase in the upcoming legislative session. The proposal for this Board will be to increase the fee cap to \$500.

The number of licensees is shrinking. Under Title 10 the Commissioner can change the renewal cycle. If there is support for annual renewal the continuing education provision would require legislation.

Complaint Officer's Report

There are seven cases pending Board review.

Adjudicatory Hearing – J. Robert Curtis (Complaint #LS-189)

The Chair opened the hearing in the matter of J. Robert Curtis. Mr. Curtis was present and not represented by an attorney. Assistant Attorney General Dennis Smith represented the State in this matter. James Smith was present as Hearing Officer and Counsel for the Board. Mr. Curtis requested a continuance of the hearing. A motion was made by Michael Sackett to deny Mr. Curtis' request for a continuance; seconded by David Titcomb. Unanimous. Public deliberations were conducted at the close of the hearing.

A motion was made by David Titcomb to find the licensee in violation of 32 MRSA §13909(3)(B), §13909(3)(D), and Board Rules Chapter 90, Part 2, Section 3 as outlined in the Notice of Hearing; seconded by Elwood Ellis. Unanimous.

A motion was made by Elwood Ellis to order the following: (1) Effective 9/1/04 Mr. Curtis' license shall be suspended for a period of one year; (2) during the one year suspension period, Mr. Curtis' shall successfully complete the Maine Specific portion of the Professional Land Surveyors Exam; if Mr. Curtis does not complete the exam within the one year period, his license shall remain under suspension until such time as he does so; (3) Mr. Curtis shall pay hearing costs in an amount not to exceed \$1,300 within 90 days; and (4) Mr. Curtis shall return Mr. Getchell's property to his attorney on or before 8/24/04. Unanimous.

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Review and Action on Applications

A motion was made by Michael Sackett to authorize David Titcomb and Kim Baker-Stetson to preliminarily approve applications for the October exam; seconded by Deirdra Perry. Unanimous.

Board Reports

Exam Committee Meeting scheduled for Friday, September 10, 2004 at 12:00 p.m.

MSLS Report

No report.

Statute/Rules

Discussed under Administrator's report.

Correspondence and Communications

Letter from New Mexico Board: The Board responded to a questionnaire regarding the land surveying profession.

A motion was made by Deirdra Perry to authorize out of state travel for Elwood Ellis to attend the Colonial States Meeting scheduled for October 1-2, 2004 in Concord, New Hampshire; seconded by John Roberts. Unanimous.

Next Meeting Scheduled for October 26, 2004 at 8:30 a.m.

OTHER BUSINESS

ADJOURN

Being no further business, the meeting adjourned at 2:45 p.m.

Respectfully submitted,

Susan Greenlaw
Board Clerk